

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Lucien H. Groleau

v.

Civil No. 10-cv-190-JL

American Express Financial Advisors, Inc. (n/k/a Ameriprise Financial Services, Inc.), Smith, Sweeney & Associates, Inc., Peter H. Smith, and Jeremy Sweeney

PROCEDURAL ORDER

After discussing the expedited discovery schedule (see document no. 28) with the parties by telephone conference, and having considered their respective concerns about meeting certain deadlines, the deadline for completing discovery is extended by **60 additional days** (for a total of 120 days after April 20, 2011), and the deadlines for making written discovery requests and expert disclosures are extended by **30 additional days** (for a total of 40 days after April 20 for the written discovery requests, 50 days for plaintiff's expert disclosures, and 60 days for defendant's expert disclosures).

If the defendants wish to depose plaintiff Lucien Groleau, they shall be given an opportunity to do so before the plaintiff conducts any deposition(s) of the defendants in Tennessee. Otherwise, the plaintiff may proceed with such deposition(s) in the ordinary course, consistent with the discovery schedule and other applicable rules.

If the defendants, having taken Groleau's deposition, conclude that his testimony establishes a basis for seeking summary judgment on their waiver defense (which hinges on Groleau's conduct), then they may file a summary judgment motion on that basis and may request that this court delay any Tennessee deposition(s) until that motion is resolved.

SO ORDERED.



Joseph N. Laplante
United States District Judge

Dated: April 27, 2011

cc: James C. Wheat, Esq.
David Viens, Esq.
Louis M. Ciavarra, Esq.
James M. Callahan, Esq.